

STATE OF NEVADA

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BRENT C. ECKERSLEY, ESQ., Vice-Chairman
SANDRA MASTERS, Board Member



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Director

BRUCE K. SNYDER
Commissioner

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

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November 18, 2015

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, November 17, 2015, at the hour of 8:30 a.m., at the Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Room 203, Las Vegas, Nevada 89104.

The following Board members were present:

Philip E. Larson, Chairman
Brent C. Eckersley, Esq., Vice-Chairman
Sandra Masters, Board Member

Also present:

Bruce K. Snyder, Commissioner
Scott Davis, Deputy Attorney General

Members of the Public Present:

Sean McDonald, Esq., Urban Law Firm

PRELIMINARY MATTERS

1. Call to Order

The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, November 17, 2015, at 8:30 a.m.

2. Public Comment

No public comment was offered.

3. Approval of the Minutes

The Board approved the minutes as presented for the Board meeting held October 12-14, 2015 as well as the special telephonic Board meeting held November 13, 2015.

CASES

STIPULATION CALENDAR

4. **Case A1-046103**
Ronald Dixon et al. v. City of North Las Vegas
Upon motion, the Board approved the Stipulation and Order to Dismiss With Prejudice, as presented, with each side responsible for its own attorney fees and costs.

5. **Case A1-046133**
Service Employees International Union, Local 1107 v. The Southern Nevada Regional Housing Authority
Upon motion, the Board approved the Stipulation for Dismissal, as presented, with each side responsible for its own attorney fees and costs.

6. **Case 2015-018**
Joy Jones v. Clark County School District
Upon motion, the Board approved the Stipulation and Order for Dismissal of Complaint, as presented, with each side responsible for its own attorney fees and costs.

MOTION CALENDAR

7. **Case 2015-016**
Washoe County Sheriff's Deputies Association v. Washoe County and Washoe County Sheriff's Office
Upon motion, the Board granted Washoe County and the Washoe County Sheriff's Office Motion to Dismiss.

8. **Case 2015-018**
Joy Jones v. Clark County School District
The Board, having already approved the Stipulation and Order for Dismissal of Complaint in item 6 above, agreed that Clark County School District's Motion to Dismiss or, in the Alternative, Motion for Summary Judgment, was moot.

CALENDAR FOR MISCELLANEOUS MATTERS RELATED TO CASES

9. **Case 2015-011**
SEIU, Local 1107 v. Clark County
Upon motion, the Board decided the above-entitled case which previously had a hearing held as follows: (1) that the County committed a prohibited practice by making a unilateral change when it suspended certain increases in pay from June 1, 2015 to August 26, 2015 and that, therefore, such employees are to be given that pay to the

extent any new collective bargaining agreement has not already retroactively done so; (2) that the County committed a prohibited practice by making a unilateral change when it did not allow the use of association leave from June 1, 2015 to August 26, 2015, and that any employee who used various forms of personal leave is to have that leave restored to his/her account; (3) that there is a rebuttable presumption under SB 241 that any association leave already granted must have had a concession given in the past and that any extensions of such leave would need to be specifically identifiable; and (4) that there is to be no award of attorney fees or costs and that each party is responsible for their own fees and costs.

10. Cases in the Queue for Future Hearing or Settlement Conference

Upon motion, the Board ordered a mandatory settlement conference for the following case: 2015-019, Pamela Dittmar v. Teamsters, Local 14; International Brotherhood of Teamsters; and City of North Las Vegas

Upon motion, the Board agreed to hear the following case and scheduled it for Thursday, December 10, 2015: 2015-008, Education Support Employees Association v. Clark County School District.

The Board took no further action on any other cases in the queue.

GENERAL AGENCY MATTERS

11. Schedule of Future Board Meetings

The Board reviewed the proposed schedule and made changes to the following for 2015 and 2016:

<u>Dates</u>	<u>Location</u>	<u>Hearings on Cases</u>
December 8, 9, & 10, 2015	Las Vegas	A1-046120 & 2015-008
January 12, 13, & 14, 2016	Las Vegas	2015-003 & A1-046128
February 9, 10, & 11, 2016	Las Vegas	2015-001
March 1, 2, & 3, 2016	Las Vegas	Not yet assigned
April 12, 13, & 14, 2016	Undetermined	Not yet assigned
May 10, 11, & 12, 2016	Undetermined	Not yet assigned
June 14, 15, & 16, 2016	Undetermined	Not yet assigned
July 12, 13, & 14, 2016	Undetermined	Not yet assigned
August 16, 17, & 18, 2016	Undetermined	Not yet assigned
September 13, 14, & 15, 2016	Undetermined	Not yet assigned
October 11, 12, & 13, 2016	Undetermined	Not yet assigned
November 8, 9, & 10, 2016	Las Vegas	Not yet assigned
December 13, 14, & 15, 2016	Las Vegas	Not yet assigned

12. Report of the Deputy Attorney General

Deputy Attorney General Davis reported on cases on judicial review or on appeal to

the Nevada Supreme Court. He also briefly discussed published versus unpublished decisions of the Nevada Supreme Court, particularly with respect to the recent decision in Jenkins v. LVMPD and how this was an unpublished decision.

13. Reports by the Commissioner

A. Report on Cases Currently Outstanding.

Commissioner Snyder briefly discussed the contents of the log.

B. Status of the upcoming second runoff election between the Education Support Employees Association and Teamsters, Local 14.

Commissioner Snyder briefly reported on the status of the upcoming election, stating that the ballots were mailed on November 2nd as planned and that the counting of the ballots is scheduled for Saturday, December 5th.

C. Report on action taken by the Legislative Commission on October 27th with respect to the agency's amendments to its administrative rules.

Commissioner Snyder reported that the Legislative Commission approved making permanent the agency's temporary regulations pertaining to e-filing and other matters.

D. Proposal to hold pre-hearing conferences after pre-hearing statements are received but before the Board deliberates and decides as to whether to hear a given case.

Commissioner Snyder stated that the requirement that the Board hear bad faith bargaining cases within 45 days after agreeing to hear a case creates a timing problem for holding the required prehearing conference. Normally a prehearing conference is held 30 days before the hearing, but this would mean that the conference is only held a week or two after the Board decides to grant a hearing. Therefore, it is recommended that a prehearing conference be held independent of Board approval to grant a hearing, thus allowing the Commissioner to hold a prehearing conference shortly after the prehearing statements are filed by the parties. He further mentioned two advantages to moving the prehearing conference up in time: (1) it would be an opportunity to gauge receptiveness towards a settlement and (2) it would give the parties an opportunity to better refine the amount of time needed for a hearing, which would accordingly provide the Board with better information in slotting hearings.

14. Items Pursuant to the Request of a Board Member

The Board discussed the possible payment for time spent reviewing orders and other materials subsequent to Board meetings. Commissioner Snyder discussed the effect this may have on the agency's budget. Upon motion, the Board voted to allow up to one day per Board meeting for pay for post-Board meeting review of orders and other documents and requested that the department make a budgetary adjustment for such pay.

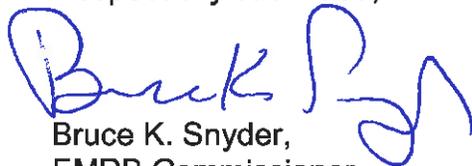
15. Items for Future Agendas

No items were mentioned for any future agendas.

CLOSING MATTERS

- 16. Comments by Board Members**
No comments were made by any Board members.
- 17. Additional Period of Public Comment**
No public comment was offered.

Respectfully submitted,



Bruce K. Snyder,
EMRB Commissioner

